

PTO/SB/51 (02-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

24457B

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 6,014,847 granted January 18, 2000, and for which a

reissue patent is sought on the invention Laminated Roofing Shingle Having Staggered Shadow

Lines And Method Of Making The Same

the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as reissue application number \_\_\_\_\_ / \_\_\_\_\_

and was amended \_\_\_\_\_

(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☒ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☒ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

At least one error upon which reissue is based is described as follows: Claims 1-20 claim less than what applicant has a right to claim. In particular, claim 1 is the broadest apparatus claim. It recites, among other features, an overlay having an underside and a plurality of spaced apart tabs, each one of the tabs having a leading edge, a first shadow line and a remaining portion, the tabs defining openings adjacent the tabs. It further recites granules that are "substantially darker in color". Claim 12 is the broadest method claim. It recites, among other features, tabs, openings and darker granules. It is believed that the foregoing features are too narrow in scope. Applicant is believed to be entitled to claims that omit the recitation of the underside, recited "a tab", omit the recitation of the first shadow line and the openings, and recite granules of a "different color". In addition to defects in the claims, the specification contained errors. The terms "overlay" and "underlay" were transposed in the Summary of the Invention and Abstract. The drawings are missing reference numerals "20b" and "34b" and a dotted line and a lead line is incorrectly drawn in Fig. 6.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/51 (02-01)

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## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
24457B

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Correspondence Address: Direct all communications about the application to:



Customer Number

22889

Type Customer Number here

Place Customer Number Bar  
Code Label hereFirm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family

John D. Phillips

Inventor's signature

Date

Residence Pataskala, Ohio 43062

Citizenship US

Mailing Address 49 Jefferson Ridge, Pataskala, OH 43062

Full name of second joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address



Additional joint inventors are named on separately numbered sheets attached hereto.

TOLEDO, OH. 43062

JAN. -17' 02(THU) 15:06 MST-TOLEDO, OH. US

TEL:419 255 9639

P.002

PTO/SB/62 (02-01)

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<b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>		Docket Number (optional) 24457B
<p>I hereby declare that:</p> <p>My residence and mailing address and citizenship are stated below next to my name.</p> <p>I am authorized to act on behalf of the following assignee: <u>Owens Corning Fiberglas Technology, Inc.</u></p> <p>and the title of my position with said assignee is: <u>Vice President</u></p> <p>The entire title to the patent identified below is vested in said assignee.</p>		
Name of Patentee(s) John D. Phillips		
Patent Number 6,014,847	Date of Patent January 18, 2000	
Title of Invention Laminated Roofing Shingle Having Shadow Lines And Method Of Making The Same		
<p>I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled <u>Laminated Roofing Shingle Having Shadow Lines And Method Of Making The Same</u></p> <p>the specification of which</p> <p><input checked="" type="checkbox"/> is attached hereto.</p> <p><input type="checkbox"/> was filed on _____ as reissue application number _____ and was amended on _____ (if applicable)</p> <p>I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.</p> <p>I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)</p> <p><input checked="" type="checkbox"/> by reason of a defective specification or drawing.</p> <p><input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.</p> <p><input checked="" type="checkbox"/> by reason of other errors.</p> <p>At least one error upon which reissue is based is described as follows: See attached sheet entitled "Attachment To Reissue Application By The Assignee"</p> <p>[Attach additional sheets, if needed.]</p> <p>All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.</p>		

[Page 1 of 2]

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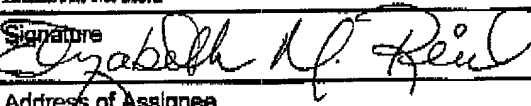
P.003

PTO/SB/52 (02-01)

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<b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>		Docket Number (Optional) 24457B	
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. Name(s) _____ Registration Number _____			
Correspondence Address: Direct all communications about the application to: <input checked="" type="checkbox"/> Customer Number 22889 → <div>Place Customer Number Bar Code Label Here</div> Type Customer Number Here			
OR			
<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of person signing (given name, family name) Elizabeth M. Reid			
Signature 		Date 1.17.02	
Address of Assignee Owens Corning Fiberglas Technology, Inc., 7734 69th Street, Summit, IL 60501			
Patentee John D. Phillips		Citizenship US	
Residence/Mailing Address 49 Jefferson Ridge, Pataskala, Ohio 43062			
Patentee		Citizenship	
Residence/Mailing Address			
<input type="checkbox"/> Additional Patentees are named on separately numbered sheets attached hereto.			

2004011303

ATTACHMENT TO REISSUE  
APPLICATION DECLARATION BY THE ASSIGNEE

At least one error upon which reissue is based is described as follows:

Claims 1-20 claim less than what applicant has a right to claim.

In particular, claim 1 is the broadest apparatus claim. It recites, among other features, an overlay having an underside and a plurality of spaced apart tabs, each one of the tabs having a leading edge, a first shadow line and a remaining portion, the tabs defining openings adjacent the tabs. It further recites granules that are "substantially darker in color".

Claim 12 is the broadest method claim. It recites, among other features, tabs, openings and darker granules.

It is believed that the foregoing features are too narrow in scope. Applicant is believed to be entitled to claims that omit the recitation of the underside, recited "a tab", omit the recitation of the first shadow line and the openings, and recite granules of a "different color".

In addition to defects in the claims, the specification contained errors. The terms "overlay" and "underlay" were transposed in the Summary of the Invention and Abstract. The drawings are missing reference numerals "20b" and "34b" and a dotted line and a lead line is incorrectly drawn in Fig. 6.

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JAN. -17' 02(THU) 15:07 MST-TOLEDO, OH. US

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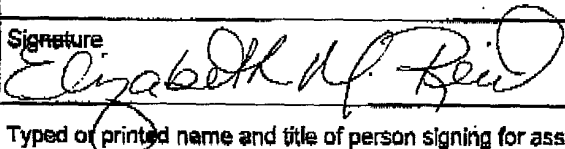
P.005

PTO/SB/53 (02-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT</b>		<b>Docket Number (Optional)</b>  24457B
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) John D. Phillips		
Patent Number 6,014,847	Date Patent Issued January 18, 2000	
Title of Laminated Roofing Shingle Having Staggered Shadow Lines And Method Of Making The Same		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
Owens Corning Fiberglas Technology, Inc. The assignee(s) owning an undivided interest in said original patent is/are _____ and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) Owens Corning Fiberglas Technology, Inc.		
Signature 	Date 1.17.02	
Typed or printed name and title of person signing for assignee (if assigned) Elizabeth M. Reid, Vice President - Owens Corning Fiberglas Technology, Inc.		

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**ASSIGNMENT**

I, ("Assignor"), **John D. Phillips**, a resident of Pataskala, Ohio, and a citizen of U.S.A., has invented a new and useful improvement in **Laminated Roofing Shingle Having Staggered Shadow Lines and Method of Making the Same** ("the Invention"), and have executed an Application for United States Patent based thereon having Attorney Docket No. 24457A and/or Serial No. 09/143,897 ("the Application").

**OWENS-CORNING FIBERGLAS TECHNOLOGY, INC.**, ("U.S. Assignee"), a corporation of Illinois having a place of business at 7734 West 59th Street, Summit, IL 60501, is desirous of acquiring and has acquired certain U.S. rights in and to the Invention and the Application.

**OWENS CORNING** ("Non-U.S. Assignee"), a corporation of Delaware having a place of business at One Owens Corning Parkway, Toledo, Ohio, 43659, is desirous of acquiring and has acquired certain non-U.S. rights in and to the Invention and patent applications based on or claiming priority to the Application.

**NOW THEREFORE**, for one (US \$1.00) dollar and other valuable consideration, the receipt of which is hereby acknowledged:

**I/WE**, Assignor, have agreed to and do hereby sell, assign, and transfer unto U.S. Assignee my/our entire right, title, and interest in and throughout the United States of America (including its territories and dependencies), in and to the Invention, the Application, and any and all patents (including extensions, reissues, and reexaminations thereof) of the United States of America that have been or may be granted on the Invention or any part thereof, or on the Application or any divisional, continuation, renewal, reissue, or other U.S. patent application based in whole or in part on the Application or the Invention ("the U.S. Patent Rights"); the U.S. Patent Rights **TO BE HELD AND ENJOYED** by U.S. Assignee, its successors, and assigns to the full ends of the respective terms or periods for which the U.S. Patent Rights are pending, in force, or have been or may be granted or extended, as fully and entirely as the same would have been held and enjoyed by me/us had no assignment of said right, title, and interest been made;

**AND I/WE**, Assignor, have agreed to and do hereby sell, assign, and transfer unto Non-U.S. Assignee my/our entire right, title, and interest in all countries other than the United States of America, along with the right to claim priority based on the Application, in and to the Invention, all non-U.S. patent applications based on or claiming priority to the Application, and any and all patents (including extensions, reissues, and reexaminations thereof) of such countries that have been or may be granted on the Invention or any part thereof, or on any non-U.S. patent application based on or claiming priority to the Application, or on any divisional, continuation, renewal, reissue, or other patent application based in whole or in part on the Application, any patent application based on or claiming priority to the Application, or the Invention ("the Non-U.S. Patent Rights"); the Non-U.S. Patent Rights **TO BE**

HELD AND ENJOYED by Non-U.S. Assignee, its successors, and assigns to the full ends of the respective terms or periods for which the Non-U.S. Patent Rights are pending, in force, or have been or may be granted or extended, as fully and entirely as the same would have been held and enjoyed by me/us had no assignment of said right, title, and interest have been made.

**FURTHER, I/WE**, Assignor, hereby covenant and agree for myself/ourselves, my/our heirs, and my/our legal representatives to assist U.S. Assignee and Non-U.S. Assignee in the prosecution of any and all patent applications assigned hereby and in any interference, opposition, or other legal proceeding that may arise involving the Invention, the Application, the U.S. Patent Rights, or the Non-U.S. Patent Rights, and, upon request, to execute without further consideration all papers necessary or desirable for the preparation or prosecution of any divisional, continuation, renewal, reissue, reexamination, or other applications for patents in any country that might be deemed necessary or desirable by U.S. Assignee or Non-U.S. Assignee to fully to secure its respective right, title, and interest in and to the Invention or any part thereof, in and to the Application or any patent application based thereon or claiming priority thereto, or in and to the U.S. Patent Rights or the Non-U.S. Patent Rights, as aforesaid;

**AND I/WE**, Assignor, hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America to issue to U.S. Assignee any United States patent that may be granted based on the Invention or the Application, or on any other U.S. application assigned hereby; and I/we hereby authorize and request the authorized officials of all countries other than the United States of America to issue to Non-U.S. Assignee any non-U.S. patent that may be granted based on the Invention or the Application, or on any non-U.S. application assigned hereby.

Signed this 20<sup>th</sup> day of August, 1998.

By:

Typed name:

John D. Phillips  
John D. Phillips

STATE OF Ohio )  
 ) ss.  
COUNTY OF Licking )

Before me on the day, month and year identified above personally appeared John D. Phillips, to me known to be the person named in the above Assignment, who signed the foregoing instrument in my presence and acknowledged the same to be his/her free act and deed.

Donna Marie Deibert  
Notary Public

**DONNA MARIE DEIBERT**  
NOTARY PUBLIC STATE OF OHIO

My commission expires: MY COMMISSION EXPIRES AUGUST 13, 2003

SEAL